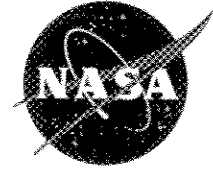


National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001



May 25, 2011

Reply to Attn of: General Law Practice Group

TO: Distribution

FROM: Alternate Designated Agency Ethics Official

SUBJECT: Determination Regarding Attendance by NASA employees at the Federation of Galaxy Explorers Galaxy Ball, Reception and Dinner on June 4, 2011

On June 4, 2011, the Federation of Galaxy Explorers will hold its annual Galaxy Ball at the Westin Hotel in Arlington, Virginia. The Federation is a nonprofit organization under 501(c)(3) of the Internal Revenue Code.

The Galaxy Ball will be a widely attended gathering of approximately 200, including people from the corporate and Federal government sectors, congressional staffers, as well as volunteers who have supported the Federation's education activities. Tickets to the reception and dinner, valued at \$120 per person, are being offered to some NASA personnel at no cost. Although corporate members of the corporation provide open seating at their tables to accommodate guests invited by the Federation, the Federation is solely responsible for selecting, inviting, and seating NASA guests.

Attendance at the Ball will allow NASA representatives to establish an Agency presence at an event celebrating work done by the Federation and its volunteers to stimulate children to pursue careers in science and engineering. Attendance will also allow NASA personnel to exchange views relating to NASA's mission with individuals from the corporate and non-profit sectors, the Hill, and other Federal agencies. Accordingly, NASA employees whose duties do not substantially affect the Federation, including NASA employees in non-career positions who are required to sign the ethics pledge under Executive Order 13490, may accept an invitation for free attendance to the event.

NASA employees whose duties do not substantially affect the Federation, such as by way of procurement duties, should seek an individual determination pursuant to 5 C.F.R. §2635.204(g)(3)(i) regarding participation in this event from their local ethics counselor.

Additionally, each attendee will receive an assortment of mementos valued at approximately \$3 each. Attendees are reminded of the \$20 gift exception at 5 C.F.R. §2635.204(a), which provides that employees may accept gifts valued at no more than \$20 per occasion.

Accordingly, in addition to accepting free attendance at the event, NASA employees may accept these mementos. NASA invitees are reminded not to exceed the \$50 cap on gifts from one source in a calendar year.

There is a fundraising aspect to the event, a silent auction. As a reminder, Federal employees should avoid participating in any of the fundraising activities, including promotional, production, or presentation activities. Employees should also avoid making any requests for support for the nonprofit organization.

I find that the Galaxy Ball meets the requirements of a "widely attended gathering" as defined in 5 C.F.R. §2635.204(g). Consequently, I conclude that NASA's interest in its employees attending this event outweighs any concern that such free attendance may, or may appear to, improperly influence any NASA personnel in the performance of their official duties.

A handwritten signature in black ink, appearing to read 'Adam F. Greenstone', with a stylized, cursive script.

Adam F. Greenstone